

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 02, 2020

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Zachary Smith-Cline

Case Number: 0980 2:19CR00207-RMP-1

Address of Offender:

Spokane, Washington 99207

Name of Sentencing Judicial Officer: The Honorable Jeffrey L Viken, U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Rosanna Malouf Peterson, U.S. District Judge

Date of Original Sentence: January 27, 2014

Original Offense: Ct. 2: Possession with Intent to Distribute Methamphetamine, 21 U.S.C. § 841(a)(1) and 841(b)(1)(B)
Ct. 3: Counterfeiting and Forging Obligations and Securities of the United States, 18 U.S.C. § 471

Original Sentence: Prison - 100 months
TSR - 48 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: James A. Goeke

Date Supervision Commenced: March 12, 2019

Defense Attorney: Federal Defenders Office

Date Supervision Expires: March 11, 2023

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 12/12/2019.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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3	<u>Special Condition # 1:</u> The defendant shall not consume any alcoholic beverages or intoxicants. Furthermore, the defendant shall not frequent establishments whose primary business is the sale of alcoholic beverages.
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Supporting Evidence: Mr. Smith-Cline was in direct violation of special condition number 1 by self-disclosing his continued consumption of alcohol or about December 17, 2019.

On March 12, 2019, Mr. Smith-Cline was read his conditions of supervision. He signed the conditions stating he understood them.

On December 19, 2019, Mr. Smith-Cline submitted a urine sample during his chemical dependency evaluation at Spokane Addiction Recovery Center (SPARC). The sample was sent to Cordant Labs and on December 26, 2019, was confirmed positive for ethyl glucuronide and ethyl sulfate (alcohol).

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On December 30, 2019, Mr. Smith-Cline reported to the U.S. Probation Office and disclosed he drank alcohol on December 17, 2019. He signed a drug use admission form. Mr. Smith-Cline is currently being referred to our Sobriety Treatment and Education Program (STEP).

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Mandatory Condition #3: The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

Supporting Evidence: Mr. Smith-Cline was in direct violation of mandatory condition number 3 by self-disclosing that he took suboxone which was not prescribed to him on or about December 19, and 28, 2019.

On March 12, 2019, Mr. Smith-Cline was read his conditions of supervision. He signed the conditions stating he understood them.

On December 19, 2019, Mr. Smith-Cline submitted a urine sample during his chemical dependency evaluation at SPARC. The sample was sent to Cordant Labs and on December 26, 2019, was confirmed positive for suboxone. Mr. Smith-Cline did not have a prescription for suboxone.

On December 30, 2019, Mr. Smith-Cline reported to the U.S. Probation Office and disclosed he was taking non-prescribed suboxone, and his last use was on December 28, 2019. He has been directed to stop taking suboxone unless he has a valid prescription. He signed a drug use admission form. Mr. Smith-Cline is currently being referred to our Sobriety Treatment and Education Program (STEP).

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 01/02/2020

s/Joshua D. Schull

Joshua D. Schull
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

January 2, 2020

Date